

423 /262 cont./
629
578

support his allegations by a solemn procedure. "Accept mine or I will accept yours," rd'iyi nghd rd'igh-ak, he says to his partner.

Notice the atmosphere in which this verb rd'ā plunges, the root of which, Arabic, but adopted by all the Moroccan dialects, evokes in fact relations anterior to or superior to the strict law.

It is in this way that in the sherifian chancellery a superlative of this root, ard'ā, qualifies the "faithful and beloved" vassal. A litigant adopts heartily, rd'ā, the sentence, or else accepts a

[152] /263/ witness, unless this should be the opposite. The ar. /Ara-
[154] bic/ Mā rd'ā-ch expresses the menacing despair into which iniquity plunges a person, driving him to a serious act: vengeance,
[762] malediction, suicide. As always in such cases, with rare outcroppings of a strongly archaic juridical lexicon, it is not so much an act that the word connotes as an attitude, a state. Corroded reminder of a stage when social relations were expressed as relations of "figure," of "personage," or, let us say, of status.

That undoubtedly accounts for the obscurity in which this agrarian ceremony plunges even now. Obscurity not only to our eyes, but also to the very ones of the actors. The devolution of the oath to one of the two adversaries is not regulated by anything expressible, in any case nothing that would be apt to be confessed by the present users. Doubtlessly it operates by virtue of emotions to which the tone of the words exchanged, the vigor of the cry of the one offended, the latent opinion of the riverains who flock together on the field contribute.

One of the two, then, proclaims that he is indeed at such-and-such a place in his rightful patrimony, aida-n-s. Simultaneously, he places on the contested spot a stone or clod dug from the field (1).

[171]

1. We observed this practice nearly everywhere in Morocco. Always this unity of the ethnographic foundation!

A certain ambiguity of the interpretation may appear here according to the material of the instrument. The stone in the case at

Beyond that

578/266 cont./ there is emigration, a frequent
42 form of protest against an oppressor judged for the moment to be
166 stronger and against whom one insists on one's rights. It is in
this way that the notarial practice knows "safeguard" acts,
istih'fâz, most often confused with those of istir^Câ. Whence,
moreover, the frequent allegation of absence, interruptive of
prescription, in instances of a more complex and more mature
turn to which the revendication of land gives rise. Evidently,
the Mussulman theory of the ghayba, "imprescriptibility based on
absence," has provided there only a convenient cadre for an old,
local notion, both economic and ritual: the absent one is also
the suppliant. His flight obscurely "obligates" the one provok-
ing it.

578 These manifestations do not go, as in other societies, so far
562 as the man's suicide. But it is striking that the Chleuh /Shluh/
762 woman rather frequently has recourse to this genre of protestation.
She hangs herself or throws herself into a cistern. And, in fact,
in spite /267/ of the juridical capacity which not only the law but
the mores recognize for her, and which her psychological propen-
sity makes her exercise fully, her life in certain respects is more
amenable to an extrajudicial plane than that of the man. Per-
haps because of lesser communal implication: economy of the
gift during the long betrothal, assiduous practice of magic, re-
lationships of fides in the marriage state, recognized aptitude for
imprecatory procedures. It is in these perspectives that it is
necessary to study the act, rich in social consequences, that the
suicide of the woman constitutes, an act relatively frequent, and
which manifests the rupture, voluntary or not, of the bond of the
group. Most often it is a solemn protestation against the wrong
suffered. But it may also result from a disorder inflicted by
mysterious powers. For example, during the winter of 1953, all
the women of Usikis incurred the anger of a saint by collecting
herbs in the reserved meadows of the Tasila. They were seized
by "demoniac" manifestations that in one or two cases went

762 /267 cont./
784 as far as suicide (1).
787

1. Further interferences between law, magic, agrarian life, around the agg^wmi, whose placing in defense is put "under the guarantee" of a saint.

000 The past, even recent, of the Seksawa yields numerous facts of this order. Their variety and, in certain respects, their incoherence cannot conceal the fact that they originate from a stage of archaic indivision among the most corroded modes of the agrarian, religious, and juridical life.

776 /268/ III. Patronages of Saints, Natural Periodicity
794 and Juridical Obligation

Another Stage of Rites: The Dues
To the Saints

(571) If on the local plane the balance sheet is so unfavorable to
(634) personal holiness, it is not the same for another order of facts: the liaisons of patronage that are established between the group and external saints. This externality in fact seems to be an essential condition: whether the chchard' (1)

1. Ar.: chart', "stipulation." The use of this word in the sense of dues to saints is ancient. Cf. Manāqib al-H'ud'aykī, t. I, p. 151, 1. 4 de fine, concerning a saint of the Haouz in the sixteenth century.

paid to a Seksawa saint, Lalla Aziza or Sidi Mh'and, for example, depends on a sort of federalism between different Seksawa cantons, or -- the most common case -- such-and-such a group, such-and-such a subgroup, even such-and-such a family, separately, freely, and with all the appearances of juridical spontaneity, takes up a

*631 /382 cont./

175 Aghennaj. The Makhzen had accepted what it could not destroy:
159 the descendants of Sidi Ahmed ou Mousa sent to the sultan each
648 year a couple of slaves as a present, while they received as
431 "ziara" a sum of 1000 metqal.

175 Very friendly relations were even established between El Hajj
159 'Abdallah and the sherif of the Tazerwalt. Soon their friendship
*631 became almost an alliance, and one day one saw coming to the
571 camp of the caliphate /383/ of the Makhzen, set up on the banks
574 of the Asif Oulghas, Sidi Hosein himself, escorted by "At
431 Arba'in" of the mountains, 400 in number, bringing as a gift, the
witnesses still say, 32 slaves, 8 horses, 10 embroidered saddles,
12 silver guns, amber, and gold from the Sudan. Assembled
shells of the Haha and mountain notables from the Anti-Atlas
spent several days in festivities, and they celebrated the power of
Hajj 'Abdallah Ou Bihi, which was such, the poet still says, "that
his equal was never seen."

175 Several years afterward an unfortunate adventure happened to
159 Hajj 'Abdallah Ou Bihi. A rekkas /courier who carries dispatches/
648 sent by him to the chief of the Tazerwalt, with whom he had not
ceased to maintain relations, no doubt inoffensive for the security
*631 of the Makhzen, forgot his letters on a rock while praying. They
[203] could never be found again; but some time later, just as Hajj
[431] 'Abdallah was betaking himself to Marrakech to pay to the sultan
the "hédia," the traditional presents given on festive occasions, he
was received by Sidi Mohammed himself, who showed him the
lost letters. "What do you prefer now? Do you wish to drink this
tea in silence, or will I have to take out walking in the tribes the
great kaid Hajj 'Abdallah Ou Bihi, with irons on his feet, before
having his head cut off?"

• [762] El Hajj 'Abdallah Ou Bihi reflected, took the glass of poison
with resignation, and went away to die in the chamber where,
away from home, his cadi who had accompanied him was waiting
for him (1868).

*631 VII. Abuses. -- Outside of the happy periods during which,
648 under the leadership of a kaid in favor at court, the Berbère
/Berber/ tribe, invoking the sultan's orders, can live at the